

**ORDINANCE REPEALING
AND RE-ENACTING
A PORTION OF
SECTIONS 17-400.02(d), 17-404.02(c), 405.02(d), 702.07, 703.01(c), 703.08(b), and 17-
1004.10(b)(2)
OF THE CODE OF ORDINANCES
OF
ROCKINGHAM COUNTY, VIRGINIA**

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF ROCKINGHAM COUNTY,
VIRGINIA:

That the following sections of Chapter 17, Zoning, are repealed and re-enacted:

Sec. 17-400.02. - Requirements.

- (d) The project area shall be under unitary ownership or under unified control at the time of application. The holder of a written contract or option to purchase the land shall, for the purpose of such application, but not for the approval of any ~~final~~-site plans, be deemed to be an owner of such land. Unified control may be established by, but is not limited to, the formation of an owners' association which shall have the authority to act as a single entity in application for rezoning and in the development of the planned development; covenants and restrictions, properly executed and recorded in the office of the Clerk of the Circuit Court of Rockingham County, which shall run with the land and insure all development will be in accordance with the master plan and any conditions and restrictions of the rezoning, or an agreement of all owners, properly executed and recorded in the office of the Clerk of the Circuit Court of Rockingham County, which shall insure all development will be in accordance with the master plan and any conditions and restrictions of the rezoning.

Sec. 17-404.02. - Requirements.

- (c) The use of any area within the R-4 district shall be shown on the ~~final~~-site plan.

Sec. 17-405.02. - Requirements.

- (d) The use of any area within the R-5 district shall be shown on the ~~final~~-site plan.

Sec. 17-702.07. - Shared parking.

For shared parking, supporting documentation and a plan for parking shall be submitted as a part of the ~~final plan or~~ site plan. Supporting documentation may include, but is not limited to, such items as use-specific parking needs, pedestrian-and bicycle-use statistics, hours of operation, number of employees, off-site employee parking, alternating hourly- or seasonal-use parking, availability of general-use parking areas, shuttle services provided, and mass transportation availability.

Sec. 17-703.01. - Landscape plan.

- (c) With prior approval of the zoning administrator, the required contents of the landscape plan may be shown on the site plan ~~or final plan~~, and particular information may be omitted from a landscape plan when, due to the nature or limited scope of a development, such information is not necessary for evaluation of the plan or for purposes of maintaining a record.

Sec. 17-703.08. - Utility easements.

- (b) In any planned district, utility easements shall be a minimum of twenty (20) feet in width. Location of all utility easements shall be determined and approved as part of the ~~final~~-site plan.

Sec. 17-1004.10. - Effect of acceptance.

- (b) Map references; conformance to existing conditions:

- (2) Any site plan, ~~final plan~~, or subdivision thereafter submitted for development of property to which proffered conditions have attached shall conform to all such conditions and shall not be approved by the zoning administrator in the absence of such conformity.

This ordinance shall be effective from the ___ day of _____, 201__.

Adopted the ___ day of _____, 2016.

Aye

Nay

Abstain

Absent

Supervisor Cuevas

Supervisor Eberly

Supervisor Chandler

Supervisor Kyger

Supervisor Breeden

Chairman of the Board of Supervisors

ATTESTE:

Clerk

STAFF RECOMMENDATION: Approval

December 14, 2015

The information required for plans submitted for planned development districts (projects with master plans), which are termed final plans, is the same as the plans submitted for conventional districts (projects without master plans), which are termed site plans. To simplify the terminology in Chapter 17 and in acknowledgement that final plans and site plans include identical information, staff recommends using the term "site plan" to refer to all plans, regardless of whether they are controlled by a master plan or not.